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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,922	08/29/2002	Larry Hawkins	9D-HL-19723	2345
23465	7590	01/16/2007		
JOHN S. BEULICK C/O ARMSTRONG TEASDALE, LLP ONE METROPOLITAN SQUARE SUITE 2600 ST LOUIS, MO 63102-2740			EXAMINER STINSON, FRANKIE L	
			ART UNIT	PAPER NUMBER
			1746	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/16/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/064,922

Applicant(s)

HAWKINS ET AL.

Examiner

FRANKIE L. STINSON

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) _____ is/are pending in the application.
4a) Of the above claim(s) 1,2,4-12 and 14-20 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 2, 4-12 AND 14-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

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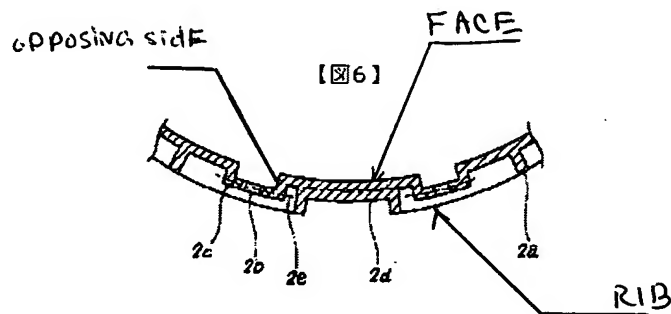
1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-12 and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japan'085 (Japan 7-68085) in view of either Japan'663 (Japan 54-102663) or Brucken (U. S. Pat. No. 3,603,118).

Re claims 1, 6, 10, 16 and 19, Japan'085 is cited disclosing a basket for a washing machine said basket comprising:

a substantially cylindrical outer wall (2c) and a plurality of inwardly projecting ribs depending therefrom (see fig. 6 below)



wherein, said outer wall includes a plurality of apertures (2b) there through, said apertures arranged in single vertically aligned columns between adjacent ribs: and wherein said rib comprises a face and opposing sides extending (rearwardly) from said face, said basket further comprising

at least one support band (22a,) extending between said opposing sides of said rib, such that at least one rib support is flush with said outer wall that differs from the claims only in the recitation of the ribs having the cross-section and height as claimed. Japan'663 and Brucken are each cited disclosing the arrangement of providing a washing basket with ribs that have the first and second cross-section, portion, ends, radial distances and height as claimed (note that the ribs in Japan'663 and Brucken are tapered from a maximum height to the inner surface of the basket). It therefore would have been obvious to one having ordinary skill in the art to modify the ribs of Japan'085, to be as taught by either Japan'663 or Brucken, for the purpose of providing a greater turnover of the clothes being washed. It is old and well known in the art to provide ribs of varying shapes and sizes for enhancement of the massaging/scrubbing washing effect of the articles being washed. Re claim 2, Japan'-085 discloses the ribs extending substantially vertically. Re claims 4 and 18, Japan'085 discloses the first portion being substantially rectangular as claimed. Re claim 5, 7, 8, 17 and 20, to have the ribs extending the length as claimed, is consider to be a mere change in the size of the ribs as taught by the applied prior art (see MPEP 2144.04, IV CHANGES IN SIZE, SHAPE, OR SEQUENCE OF ADDING INGREDIENTS). Re claims 9, 11, 12 and 15, Brucken discloses the varying width or flared/triangular shape. Re claim 14, Japan'663 discloses the band being flush with the outer surface of the outer wall.

3. Applicant's arguments filed Oct. 27, 2006 have been fully considered but they are not persuasive. In regard to the remarks that the basket of Japan'085 is designed, to expand and therefore provides no support as claimed. It is understood that the

arrangement as shown in figs 3 and 7 may expand apparently during the molding process, it is the examiner's position that this not be the case with the embodiment as shown in fig. 2. As for there being no suggestion to combine the references, it is old and well known in the art to vary the ribs/vanes in a washing drum to vary the cleaning action in the of the drum.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls



FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746